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|   |               |                      |                           |                  |
|---|---------------|----------------------|---------------------------|------------------|
| APPLICATION NO.   | FILING DATE   | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.       | CONFIRMATION NO. |
| 10/537,280  | 05/27/2005    | Jane Sanders         | AATH.P-001                | 1845             |
| 57381   | 7590          | 12/14/2010           | EXAMINER                  |                  |
| Larson & Anderson, LLC<br>P.O. BOX 4928<br>DILLON, CO 80435 |               |                      | WOODWARD, CHERIE MICHELLE |                  |
| ART UNIT  | PAPER NUMBER  |                      |                           |                  |
|   | 1647          |                      |                           |                  |
| MAIL DATE   | DELIVERY MODE |                      |                           |                  |
| 12/14/2010  | PAPER         |                      |                           |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| <b>Notice of Non-Compliant<br/>Amendment (37 CFR 1.121)</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|---|------------------------|---------------------|
|   | 10/537,280             | SANDERS ET AL.      |
|   | <b>Examiner</b>        | Art Unit            |
|   | CHERIE M. WOODWARD     | 1647                |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 06 October 2009 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
  - A. Amended paragraph(s) do not include markings.
  - B. New paragraph(s) should not be underlined.
  - C. Other \_\_\_\_\_.
- 2. Abstract:
  - A. Not presented on a separate sheet. 37 CFR 1.72.
  - B. Other \_\_\_\_\_.
- 3. Amendments to the drawings:
  - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - C. Other \_\_\_\_\_.
- 4. Amendments to the claims:
  - A. A complete listing of all of the claims is not present.
  - B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
  - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Cancelled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - D. The claims of this amendment paper have not been presented in ascending numerical order.
  - E. Other: See Continuation Sheet.
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

#### TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Cherie M. Woodward/  
Primary Examiner, Art Unit 1647

Continuation of 4(e) Other: Claims 176-178, 188, 193, and 194 were previously cancelled in the claim set of 10/9/2009. However, they have reappeared in the 10/6/2010 claim set as withdrawn claims. Previously cancelled claims may not be revived as originally numbered. If Applicant wishes to reintroduce subject matter of previously cancelled claims, this must be done by adding new claims beginning with a number following the highest numbered claim of the previous claim set. If the new claims are directed to withdrawn subject matter, they will be withdrawn by the examiner upon entry.

Additionally, claim 200 in the 10/6/2010 claim set has an incorrect status identifier. The status identifier reads "previously presented," but the claim has been amended. A proper status identifier commensurate with the amended claim is required. Correction of the claim set to conform with the above is required before examination can continue.

Due to the large number of claims in the claim set, Applicant is requested to carefully review each of them for compliance prior to the next response.